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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,869	09/15/2000	David Skirmont	P4505	4196

24739 7590 12/15/2003

CENTRAL COAST PATENT AGENCY
PO BOX 187
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EXAMINER

STEVENS, ROBERTA A

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 12/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/663,869

Applicant(s)

SKIRMONT ET AL.

Examiner

Roberta A Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Takano (U.S. 5926456).

3. Regarding claim 1, Takano teaches (columns 1-3) a method for redirecting packets destined for a port comprising: rerouting port status of a continuing or periodic basis; updating a port status table, listing port status as active or failed and an alternative destination for each port; checking the table by circuitry along a packet route for a packet en route; and sending the received packet to the predetermined port if the port is listed in the table as active, and sending the receive packet to the alternative destination if the port is listed in he table as failed.

4. Regarding claim 2, Takano teaches (figure 1) the port status table is stored in a fabric interface circuitry and the checking and redirecting is implemented in the fabric circuitry.

5. Regarding claims 3,8 and 14, Takano teaches (figure 1 and 4) the pot status table is stored in one of a Global Fabric ASIC on a line card or a PPA on a line card, and redirection is enabled by a CPU on the line card.

6. Regarding claims 4, 10 and 15, Takano (figures 1 and 4) teaches the interface circuitry is implemented in hardware logic.

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7. Regarding claims 5, 11 and 16, Takano teaches (figures 1 and 4) the alternative destination is a PPA on an alternative line card.
8. Regarding claims 6, 12 and 17, Takano teaches (columns 5-6) predestinations and alternative destinations are noted by destination tags associated with packets in process.
9. Regarding claim 7, Takano teaches (figures 1 and 4 and columns 5-6) a router card enabled for Automatic Protection Switching, comprising: one or more circuits enabled for forwarding data packets; and a port-status table; characterized in that the port status table lists individual port's status as active or failed, and also alternative destinations for the ports, and in that packets predetermined for failed ports are redirected to alternative ports.
10. Regarding claim 9, Takano teaches (columns 5-6) the card is a fabric card interconnecting line cards.
11. Regarding claim 13, Takano teaches (figures 1 and 4 and columns 5-6) a data packet router having externally facing line cards internally connected by fabric cards, wherein individual ones comprise: : one or more circuits enabled for forwarding data packets; and a port-status table; characterized in that the port status table lists individual port's status as active or failed, and also alternative destinations for the ports, and in that packets predetermined for failed ports are redirected to alternative ports.
12. Regarding claim 18, Takano teaches (figure 1) Takano teaches (figure 1) the port status table is a distributed able with portions stored in separate places.
13. Regarding claim 19, Takano teaches (columns 5-6) the alternative destination is on the same line card receiving and redirecting the packets.

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14. Regarding claim 20, Takano teaches (columns 5-6) the alternative destination is on the same line card.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gupta (U.S. 6278714 B1), Acampora (U.S. 5590125) and Endo (U.S. 5764624) are cited to show the state of the art.

16. Any inquiry concerning the communication or earlier communications from the examiner should be directed to Roberta Stevens whose telephone number is (703) 308-6607. The examiner can normally be reached on Monday through Friday from 9:00 am to 5:30 p.m.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor can be reached on (703) 308-6602.

18. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

19. **Any response to this action should be mailed to:**


Commissioner of Patents and Trademarks

Washington, D.C. 20231 **or faxed to:** (703) 872-9306

For informal draft communications, please label "PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Roberta A. Stevens
Patent Examiner
12-09-03



STEVEN H.D. NGUYEN
PRIMARY EXAMINER